

## **REMARKS**

Applicant is in receipt of the Office Action mailed May 7, 2001. Claims 1-61 were pending and claims 2, 4-28, 31-34 and 36 were withdrawn in the application prior to the present amendment. Applicant has amended various of the claims to more fully and completely claim Applicant's invention. Reconsideration of the present case is earnestly requested in light of the following remarks.

### **§112 Rejections**

Claims 45-59 and 61 were rejected under 35 U.S.C. 112, second paragraph, as failing to set forth the subject matter that Applicant regards as his invention.

Applicant has amended independent claim 45 to include the subject matter of dependent claims 60 and 61. Dependent claims 60 and 61 are cancelled. Accordingly, Applicant respectfully submits that claim 45 and those dependent thereon are allowable. ✓ *nd*

### **§102 Rejections**

The Examiner states in the Office Action: "Claims 45-57, 59 and 61 are rejected under 35 U.S.C. 102(a/b) as being anticipated by Kenwood model 1050MD, or Marantz model DR-700 under 102 (a) considerations, or anticipate by MDS-JAES minidisc recorder under 102 (b) considerations."

Each of the Kenwood model 1050MD, Marantz model DR-700, and MDS-JAES is either a minidisk player/recorder or a compact disc player/writer, and each use removable mediums for audio information storage and retrieval.

In contrast, Applicant's invention as currently recited in pertinent part by claim 45 includes ". . .the non-volatile random-access storage system is substantially permanently affixed inside the chassis. . ." Kenwood model 1050MD, Marantz model DR-700, and/or MDS-JAES nowhere teach or suggest this feature. Accordingly, Applicant respectfully submits that claim 45 and dependents thereon are allowable. \* *+++*

### §103 Rejections

Claims 1, 37, 38, 39, and 40 were rejected under 35 U.S.C. 103(a) as being obvious over either Capps et al. (U.S. Patent No. 5,204,969) (hereinafter "Capps"), Rossmere et al. (U.S. Patent No. 5,508,940) (hereinafter "Rossmere"), or Taguchi et al. (U.S. Patent No. 5,563,866) (hereinafter "Taguchi"), each further considered with either Official Notice or Ishii et al. (U.S. Patent No. 5,396,340) (hereinafter "Ishii"). Applicant respectfully traverses this rejection.

While the cited art in Capps, Rossmere, and/or Taguchi does include a "display," these references describe monitors used with personal computer system displays. A computer display is necessarily configured to display more than substantially only status information and information regarding stored audio information. Otherwise it would be very difficult, if not impossible, to interact with the computer systems disclosed in the cited art. For example, without various icons or text menus corresponding to software programs stored on a computer system, it would be difficult for the user to even access the programs necessary to play or edit audio files as disclosed in Capps, Rossmere, and/or Taguchi.

In contrast, Applicant's invention currently recited in pertinent part by claim 1 includes "...a user interface system for controlling the audio entertainment system, **wherein** the user interface system includes a display positioned on the front side of the chassis, wherein the display is operable to display substantially only status information of the system and information regarding the audio information stored in the storage system . . . ." Capps, Rossmere, and/or Taguchi nowhere teach or suggest these features.

Furthermore, typical computer systems are operable to display much more than "substantially only status information... and information regarding the audio information stored in the storage system" because typical computer systems have much more functionality than a stereo system component designed for storing, accessing, and playing audio information. Applicant can find no reason why these systems in the cited art are any different, nor does the Office Action provide such a reason.

Applicant respectfully submits that Ishii is an optical disc reproducing apparatus, not a computer system, and Ishii teaches that compact discs used are removable.

In contrast, Applicant's inventions as recited in pertinent part by claim 1 includes ". . . a non-removable, non-volatile random-access storage system comprised in the chassis for storing audio information, wherein the non-volatile random-access storage system is rewritable, wherein the non-volatile random-access storage system is operable to receive and store the input audio information from the at least one audio input, wherein the non-volatile random-access storage system is operable to provide output audio information to the at least one audio output, wherein **the non-volatile random-access storage system is substantially permanently affixed inside the chassis. . .**" Ishii nowhere teaches or suggests these features.

Nevertheless, the Office Action claims that it would be obvious to modify the computer systems taught in Capps, Rossmere, and Taguchi to have displays similar to the display shown in Ishii. Ishii is an optical disc reproducing apparatus, not a computer system. The Office Action states that "It would have been obvious to one of ordinary skill in the art to modify the above systems of either Taguchi et al, Rossmere et al, or Capps et al with the additional teaching from Ishii et al, or Official notice & Ishii et al. Motivation is to display only that information which the user is interested in, or alternatively, to reduce cost by having less display elements/complexity." The assertion that the computer systems of Capps, Rossmere, and Taguchi might sometimes display "only that information which the user is interested in" does not change the fact that the computer systems of Capps, Rossmere, and Taguchi are operable to display much more information than this. Furthermore, if, as the Office Action suggests, the systems in Capps, Rossmere, and Taguchi were modified to "reduce cost by having less display elements/complexity" so that the displays were operable to display substantially only status information and information regarding audio information," a great deal of the functionality of these systems would be rendered inaccessible and/or useless. Therefore, the proposed modification would change the principle of operation of the systems in Capps, Rossmere, and Taguchi. As stated in the MPEP §2143.01 "If the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims prima facie obvious. *In re Ratti* , 270 F.2d 810, 123 USPQ 349 (CCPA 1959). . ." (*emphasis added*).

Thus, at least the reasons presented, Applicant respectfully submits that claim 1 is patentable over Capps, Rossmere, Taguchi, and Ishii, taken each singly or in combination. Accordingly, Applicant respectfully submits that claim 1 and those dependent thereon are allowable.

Applicant respectfully submits that for at least the reasons presented above, claim 45 and those claims respectively dependent thereon are patentably distinguished over Capps, Rossmere, Taguchi, and Ishii, taken each singly or in combination, and are allowable.

Applicant also asserts that numerous ones of the dependent claims recited further distinctions over the cited art. However, since the independent claims have been shown to be patentably distinct, a further discussion of the dependent claims is not necessary at this time.

## CONCLUSION

Applicant submits the application is in condition for allowance, and an early notice to that effect is requested.

If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above referenced application(s) from becoming abandoned, Applicant(s) hereby petition for such extensions. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert & Goetzel PC Deposit Account No. 50-1505/5399-00100/JCH.

Also enclosed herewith are the following items:

- ☒ Renewed Petition Under 37 CFR 1.137(b)
- ☒ Return Receipt Postcard

Respectfully submitted,



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Jeffrey C. Hood  
Reg. No. 35,198  
ATTORNEY FOR APPLICANT(S)

Meyertons, Hood, Kivlin, Kowert & Goetzel PC  
P.O. Box 398  
Austin, TX 78767-0398  
Phone: (512) 853-8800  
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